

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

GENARO FAVALA RAMIREZ,

Defendant.

8:05CR162

ORDER

This matter is before the court on the government's notice for a conflict of interest inquiry as to Carlos A. Monzon remaining as counsel for defendant Genaro Favala Ramirez (Ramirez) (Filing No. 170-Sealed). The court held a hearing on the notice on June 8, 2006.

Ramirez was present with his counsel Mr. Monzon. The government was represented by Assistant U.S. Attorney Joe W. Stecher. Rafael Carrillo, a certified interpreter in the Spanish language, served as the interpreter by remote telephone hook-up. Following an inquiry of Ramirez, Ramirez requested the appointment of counsel as to whether he should waive any conflict of interest of Mr. Monzon. The court found Ramirez to be eligible for the appointment of counsel pursuant to the Criminal Justice Act.

IT IS ORDERED:

1. Dana C. Bradford, III, 1620 Dodge Street, Suite 1800, Omaha, NE 68102, is appointed as counsel for Ramirez solely for the purpose of advising Ramirez as to any conflict of interest that attorney Carlos A. Monzon may have in this matter and as to whether or not Ramirez should waive any such conflict of interest.
2. The hearing on Ramirez's motion to dismiss (Filing No. 106) is rescheduled for 9:00 a.m. on June 29, 2006. Prior to such hearing, the court will determine the action to be taken on the government's notice of a conflict of interest.
3. Prior to the hearing on June 29, 2006, Mr. Bradford will report to the court and counsel Ramirez's intended course of action with regard to the reported conflict of interest.
4. The clerk shall provide a copy of this order to Mr. Bradford, and Mr. Bradford shall enter a limited appearance in this matter.

IT IS FURTHER ORDERED that the clerk shall forthwith provide a hard copy of the following matters to Mr. Bradford: Filing Nos. 71, 106, 107, 108, 109, 132, 167, 170-Sealed, 171-Sealed, and 172-Sealed.

DATED this 12th day of June, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge